

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

MDL No. 2419
Master Dkt. 1:13-md-02419-RWZ

THIS DOCUMENT RELATES TO:

Berry v. Ameridose, LLC, et al, Case No. 1:13-
cv-12838 (D. Mass.)

**NOTICE OF WITHDRAWAL OF MOTION FOR LEAVE TO FILE MOTION FOR
PARTIAL SUMMARY JUDGMENT [Dkt. No. 2559]**

Counsel for the Plaintiff in the above-styled action hereby gives notice that Plaintiff Fredia Berry is withdrawing the currently pending Motion for Leave to File Motion for Partial Summary Judgment [Dkt. No. 2559]. Counsel for Ms. Berry received via email the missing responses to the disputed requests for admission on Monday January 11, 2015. Counsel for Ms. Berry reserves all rights related to the responses (including the right to challenge the timeliness of the responses) but will meet and confer with the Defendants related to the timeliness and adequacy of the responses.

Dated: January 20, 2016.

Respectfully submitted,

/s/ Benjamin A. Gastel

J. Gerard Stranch, IV
Benjamin A. Gastel
BRANSTETTER, STRANCH & JENNINGS PLLC
227 Second Avenue North
Nashville, TN 37201
Telephone: (615) 254-8801
Facsimile: (615) 255-5419
gerards@branstetterlaw.com
beng@branstetterlaw.com

*Counsel for Fredia Berry
Plaintiffs' Steering Committee
Tennessee State Chair*

CERTIFICATE OF SERVICE

I, Benjamin A. Gastel, hereby certify that I caused a copy of the foregoing to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access these filings through the Court's system, and notice of these filings will be sent to these parties by operation of the Court's electronic filing system.

/s/ Benjamin A. Gastel

Benjamin A. Gastel